

REGULAR MEETING – MANSFIELD TOWN COUNCIL
July 25, 2011

Mayor Elizabeth Paterson called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chambers of the Audrey P. Beck Building.

I. ROLL CALL

Present: Keane, Kochenburger, Lindsey, Moran, Paterson, Paulhus, Ryan, Schaefer, Shapiro

II. APPROVAL OF MINUTES

Ms. Moran moved and Mr. Ryan seconded to approve the minutes of the July 11, 2011 with a correction. Motion passed unanimously.

III. PUBLIC HEARING

1. Sale of Town-Owned Property on Maple Road

Director of Planning and Development Linda Painter presented information on the current policy regarding the sale of Town-owned land and a history of the Maple Road parcel process to date.

Kathy Kotula, Maple Road, presented an opening statement in support of her family's efforts to purchase 0.1548 acres of land. (Statement attached)

Peter Plante, a PZC member speaking as an individual, spoke in favor of the purchase noting the PZC recently updated their agricultural regulations in support of small farms.

Jim Morrow, Chair of the Open Space Advisory Committee, outlined the Committees objections to the purchase including the concern that the sale of an open space designated parcel would set a precedent and the fact that the clearing of the land for agricultural use would not be in compliance with the parcel's designation as an interior forest tract. Mr. Morrow also read an excerpt from the Conservation Commission's July 11, 2011 meeting which stated objections to the proposed purchase. (Statements attached)

Ed Waser, a member of the Agricultural Committee speaking as an individual, spoke in opposition to the sale noting the land in question has very little agricultural value and would provide Mr. Kotula with enough additional frontage to subdivide his property. (Statement attached)

Betty Wassmundt, Old Turnpike Road, asked the Council not to facilitate the creation of an additional building lot. (Statement attached)

David Freudmann, Eastwood Road, disagreed that the sale of the land would establish a precedent and believes the Agriculture Committee should support agriculture.

Henry Cerwinski, Gurleyville Road, commented that on WTIC's Church and State Program it was mentioned that Mansfield is not business friendly. He feels that the Town should support the expansion of business.

Rudy Favretti, PZC Chair speaking as an individual, expressed concerns about a potential break with the public trust if the Town sells this designated open space parcel. Mr. Favretti is a life long supporter of agriculture but feels this sale does not establish a clear benefit to the Town as required. (Statement attached)

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Martin Sommer, Warrentville Road, questioned the actual purpose of the tract of land if it is not to be used as a parking area. Mr. Sommer believes the decision's role as a precedent will be viewed within the context of situation.

Ken Feathers, a member of the Open Space Advisory Committee speaking as an individual, questioned the level of protection for open space dedications if this purchase is approved. Mr. Feathers noted that rhubarb needs sun to grow and this area is near the woods which also makes it more susceptible to vandals.

Vicki Wetherell, a member of the Open Space Advisory Committee speaking as an individual, presented Council members with a number of photos including an aerial depiction of the land showing much of Mr. Kotula's land is not currently being used for agriculture and a photo showing all the trees on and around the parcel under consideration. Ms. Wetherell also presented a history of the parcel and future uses for the parcel under consideration by the Committee. (Statement attached)

Mike Sikoski commented that this is a little piece of land that the Town has no use for and that by setting the precedent by selling this piece, the Town will be able to begin to sell similar pieces of land all over Town.

Ric Hossack, Middle Turnpike, suggested leasing the land to Mr. Kotula for a dollar.

Mr. Kotula, Maple Road, summarized his reasons in support of this sale. Mr. Kotula stated that he is not out to make money and that he wants the land for perpetuity. (Statement attached)

IV. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Betty Wassmundt, Old Turnpike Road, spoke to her objections regarding Section 25-6.C.4 of the proposed Ethics Ordinance which addresses conflicts of interest and affiliations with the University of Connecticut. Ms. Wassmundt also requested answers to her questions concerning the terms of appointment for the Board of Ethics. (Statement attached)

Mike Sikoski, a former member of the Board of Ethics, stated the proposed Ethics Ordinance is not what the Board of Ethics proposed. Mr. Sikoski also urged the Council to schedule office hours.

Ric Hossack, Middle Turnpike, stated his belief that exempting affiliations with UConn from the Ethics Ordinance is unthinkable.

V. REPORT OF TOWN MANAGER

In addition to the written information the Town Manager reported that he and the Mayor will be meeting with UConn President Herbst to discuss a variety of issues. Mr. Hart also reported that discussions with stakeholders regarding the Police Services Study are ongoing.

VI. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Mayor Paterson recently read an article about a young lady who has been raising money for charities and would like the Council to recognize her efforts. Ms. Paterson will provide additional information at the next meeting.

VII. OLD BUSINESS

2. Sale of Town-Owned Property on Maple Road

Members discussed the proposed sale of property on Maple Road including the role a sale would play in the setting of a precedent for future requests; whether or not the sale would be a "clear benefit to the Town" as required; the future ability to subdivide the land

with the added frontage; the desirability of increased agriculture ventures; and the possibility of a conservation easement or other additional restrictions on the land. The Town Attorney will provide an opinion as to whether a statement indicating that the parcel could not be used toward the frontage requirement could be added to the deed. The item will be added to the next meeting agenda

3. Revisions to Ethics Ordinance

Toni Moran, Chair of the Personnel Committee, spoke to the process leading to the current July 22, 2011 draft Ethics Ordinance. Ms. Moran stated the Personnel Committee asked the Town Attorney to reorganize and review the draft proposed by the Ethics Board. Ms. Moran stated the Committee revised the language with regards to conflicts and affiliations with UConn and discarded the concept of personal conflicts. Members discussed the number of meetings already held to discuss the proposed Ordinance and the need to compare the July 22, 2011 version with the version originally submitted by the Ethics Board section by section. By consensus the Council agreed to schedule a work session on the Ethics Ordinance at 6:00 p.m. on September 12, 2011. Staff will arrange, if possible, to have the workshop televised.

Ms. Moran moved and Ms. Keane seconded to rescind the motion of the July 11, 2011 meeting scheduling the public hearing for September 12, 2011. The motion passed unanimously.

4. UConn Landfill, Long-Term Monitoring Program

Ms. Lindsey requested the tables and appendixes for UConn Landfill Long Term Monitoring Plan be posted on the website.

VIII. NEW BUSINESS

5. Safe Routes to School Grant Application

Mr. Schaefer abstained from participating as the proposed route includes his daughter's land.

Ms. Moran moved and Ms. Lindsey seconded, effective July 25, 2011, to authorize the Director of Public Works to submit the Safe Routes to Schools Grant Application to the Connecticut Department of Transportation and the Town Manager to submit a letter of support on behalf of the Town. Motion passed by all those voting.

6. Transit-Oriented Development Grant Application

Ms. Moran moved and Ms. Keane seconded to approve the following resolution: WHEREAS, the Towns of Mansfield, New London, Norwich and Windham have met to discuss collaboration on a Transit-Oriented Development (TOD) Grant opportunity, and

WHEREAS, these and other towns, as well as universities and a tribal nation would benefit from transit-oriented development along an enhanced rail line from New London, Connecticut to Brattleboro, Vermont, and

WHEREAS, the Connecticut Office of Policy and Management (OPM) has advertised a grant opportunity for funding a feasibility study of transit-oriented development.

Now, therefore, the Town Council of Mansfield, Connecticut, HEREBY RESOLVES, effective July 25, 2011 that Town Manager Matthew W. Hart is authorized on behalf of the Town of Mansfield to:

Work with other affected towns to prepare, sign and submit a joint application containing a planning grant proposal in accordance with the OPM TOD Pilot Program Request for Applications;

Enter into, and if necessary, amend a Memorandum of Understanding (MOU) with Windham Council of Governments), SCCOG (Southeastern Connecticut Council of Governments) or any successor organization, which incorporates the requirements outlined in the TOD Pilot Program Request for Applications; and

Do such acts as are necessary and appropriate to obtain and expend TOD grant funds from OPM.

Motion passed unanimously.

7. Petition Regarding Assisted Living

Mr. Shapiro recused himself from this discussion.

Mr. Schaefer requested the inclusion in the record of a 2006 communication from the UConn Chapter of the American Association of University Professors to Town Manager Marty Berliner and UConn Special Assistant to the President Tom Callahan in support of an assisted living facility

Council members discussed the timing of the expected availability of water for the Masonicare project; the original expectations regarding the potential range of costs of the units; and the lack of interest to date expressed by any other developer.

Town Manager Matt Hart will prepare a motion for the next meeting expressing the Council's appreciation for the comments made in the petition and outlining the progress the Town is making in addressing those concerns.

Ms. Moran moved and Mr. Schaefer seconded to add Item 7a, August Meeting Schedule, to the agenda. The motion passed unanimously.

7a. August Meeting Schedule

Mr. Ryan moved and Mr. Paulhus seconded to cancel the August 8, 2011 meeting unless Connecticut Light and Power is unable to reschedule their presentation on the Interstate Reliability Project to a later date.

Motion passed unanimously.

IX. DEPARTMENTAL AND COMMITTEE REPORTS

No comments offered

X. REPORTS OF COUNCIL COMMITTEES

Mr. Shapiro, Chair of the Committee on Committees, moved the following recommendations to the Arts Advisory Committee: David Vaughan to replace Jay Ames and Joseph Tomanelli to replace Kelly Kochis. Both of these terms will expire on March 1, 2013. The motion passed unanimously.

Mr. Shapiro, Chair of the Committee on Committees, moved the recommendation of Keith Wilson to the Cemetery Committee for a term ending July 1, 2014. Mr. Wilson replaces Mary Landeck on the Committee. The motion passed unanimously.

Mr. Shapiro, Chair of the Committee on Committees, moved the recommendation of Beverly Korba to the Commission on Aging for a term ending September 1, 2014. Ms. Korba replaces Mary Thatcher on the Committee. The motion passed unanimously.

Mr. Shapiro, Chair of the Committee on Committees, moved the recommendation of William Thompson to the Four Corners Water and Sewer Advisory Committee. Mr. Thompson is filling a citizen member vacancy on the Committee. The motion passed unanimously.

Mr. Shapiro, Chair of the Committee on Committees, moved the

recommendation of Kathleen Ward to the Mansfield Housing Authority for a term ending October 31, 2011. Ms. Ward replaces Joan Christison-Lagay on the Authority. The motion passed unanimously.

Mr. Shapiro, Chair of the Committee on Committees, reported that the Committee reviewed the qualifications of the three potential volunteers for the Mansfield Advocates for Children, recommended at the last Council meeting, with Staff member Sandy Baxter. Ms. Baxter explained the value of having these three volunteers even though two of them do not live in Mansfield. All three candidates represent a different preschool entity in Town. Mr. Shapiro moved the recommendation of Ellen Tullman, Janice Bolteridge and Yujin Kim to the Mansfield Advocates for Children for terms ending June 30, 2014. The motion passed unanimously.

Town Clerk Mary Stanton explained a technical error which incorrectly identified Mr. Dewolf's term on the Ethics Board as terminating June 30, 2014. The correct term expiration date is June 30, 2012. Mr. Shapiro moved to correct the expiration date. The motion passed unanimously.

Ms. Moran, Chair of the Personnel Committee, asked members to email any changes they would like to see in the Town Manager's evaluation form to either herself or Maria Capriola. The Mayor will redirect the email to Mr. Schaefer's temporary address.

XI. PETITIONS, REQUEST AND COMMUNICATIONS

- 8. Citizen Letters re: Sale of Town-Owned Property on Maple Road
- 9. Quiet Corner Camera Club re: Thank you
- 10.M. Capriola re: Bergin C.I. Community Notification System – Mr. Paulhus reported that residents in the area of the prison were notified that the prison is closing.
- 11.State of Connecticut Council on Environmental Quality re: Forum in Mansfield - Ms. Lindsey requested this meeting be listed on the Town's website if it is not already.
- 12.CL&P: Strengthening the Region's Electric Grid

XII. FUTURE AGENDAS

No additions

XIII. ADJOURNMENT

Mr. Paulhus moved and Mr. Ryan seconded a motion to adjourn the meeting at 10:35 p.m.
Motion passed unanimously.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

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